

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Khalid Sayood et al.	Art Unit	: 1631
Serial No.	: 10/561,889	Examiner	: Russell Scott Negin
Filed	: September 6, 2006	Conf. No.	: 5917
Title	: SYSTEM AND METHOD FOR SEQUENCE DISTANCE MEASURE FOR PHYLOGENETIC TREE CONSTRUCTION		

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INTERVIEW SUMMARY**

The undersigned representative thanks the Examiner for the courtesy of the telephone interview held on May 3, 2011.

The substance of the interview included a discussion of the amended claims in the Reply to Action filed on April 15, 2001, the Varre and Queen references, the Declaration, and the rejections under 35 USC 101 and 112. Algorithms for determining the words in a sequence and the distance between two sequences as provided in the interview agenda were discussed.

The undersigned representative mentioned that Varre does not disclose “generating a dictionary of words based on the first nucleic acid sequence, ... if the first set of nucleotides does not match any word in the dictionary, storing the first set of nucleotides as a new word in the dictionary,” as recited in amended claim 1. Rather, Varre merely shows a source sequence S and a target sequence T in Fig. 1. Ono does not specifically discuss the use of dictionaries. Even if Ono does use dictionaries, the dictionaries used in Ono would have included English and Japanese words. There is nothing in Ono to suggest “combining said first and second nucleotide in sequence into a first set of nucleotides, ... if the first set of nucleotides does not match any word in the dictionary, storing the first set of nucleotides as a new word in the dictionary,” as recited in claim 1.

The examiner indicated that the amendments to claim 11 was viewed more favorably, and including a limitation in claim 11 that iteratively searches for words would be more favorable in overcoming the prior art.

No agreement was reach with regard to specific claim language.

Respectfully submitted,

Date: June 9, 2011 \_\_\_\_\_

/Rex I. Huang/ \_\_\_\_\_  
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